



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/812,304	03/19/2001	Thomas H. Hampton	03516P007	2247

27488 7590 06/15/2005
MICROSOFT CORPORATION
C/O MERCHANT & GOULD, L.L.C.
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

EXAMINER

CARDONE, JASON D

ART UNIT PAPER NUMBER

2145

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/812,304

Applicant(s)

HAMPTON, THOMAS H.

Examiner

Jason D. Cardone

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 March 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to the remarks of the applicant, filed on 11/10/04.

Claims 1-21 are presented for further examination.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "156" has been used to designate both memory and communications interface. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-21 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to

Art Unit: 2145

which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claims disclose deriving a location of a user based on other addresses and locations of users. Figure 2 discloses a flow chart that shows a broad use of a mapping request (230). Neither the drawing nor the specification discloses, in detail, "service the mapping request". The specification, pages 7-8, disclose a mapping service but do not disclose, in detail, what a mapping service is or what mapping a request is. The arguments of the applicant tries to answer this question but does not refer to the specific area of specification of "'mapping request' is literally a request for a map". Figure 2, also, states determining the geographic locations of the IP addresses (250). Neither the drawing nor the specification discloses deriving the location based on plurality of network addresses and mapping requests, since the determining of the network addresses for their geographic locations are not shown in detail for one of ordinary skill in the art to enable the claimed invention.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

6. Claim 21 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 21 recites the limitation "system". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Ansell et al. ("Ansell"), USPN 6,151,631.

9. Regarding claim 1, Ansell discloses a method comprising: receiving a plurality of mapping requests from a plurality of network users identified by a plurality of network addresses [ie. query territorial restriction server, Ansell, col. 5, lines 1-15 and 45-54]; deriving a geographic location of a network user associated with a network address based on the plurality of network addresses and the plurality of mapping requests [saving newly resolved locations in cache to be referred to in next location query, Ansell, col. 5, line 55 – col. 6, line 10 and col. 17, lines 1-22].

10. Regarding claim 2, Ansell further discloses receiving a request to provide the geographic location of the network providing the geographic location of the network user [Ansell, col. 5, lines 45-54].

11. Regarding claims 3 and 8, Ansell further discloses communicating geographically relevant information based on the geographic location [Ansell, col. 5, lines 1-15 and col. 17, lines 22-37].

12. Regarding claim 4, Ansell further discloses the network user is identified by an Internet Protocol address [Ansell, col. 5, lines 1-15].

13. Regarding claim 5, Ansell further discloses deriving the geographic location comprises: assigning a first set of network addresses to a first defined geographic region based on the predominance of the plurality of network addresses that issued mapping requests included in the defined geographic region [Ansell, col. 7, lines 48-63 and col. 8, lines 37-65].

14. Regarding claim 6, Ansell further discloses grouping those mapping requests sharing a common portion of the network address [Ansell, col. 10, line 45 – col. 11, line 10].

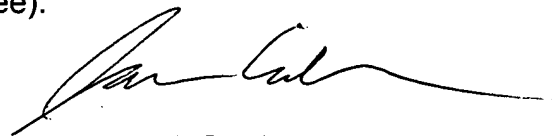
15. Regarding claim 7, Ansell further discloses determining a confidence factor for the geographic location [Ansell, col. 8, line 49 – col. 9, line 10].

16. Regarding claims 9-21, claims 9-21 have similar limitations as claims 1-8. Therefore, the similar limitations are disclosed under Ansell for the same reasons set forth in the rejection of claims 1-8 [Supra 1-8].

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason D. Cardone whose telephone number is (571) 272-3933. The examiner can normally be reached on Mon.-Th. (6AM-3PM). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on (571) 272-6159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jason D Cardone
Primary Examiner
Art Unit 2145

June 13, 2005